GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA

STARRED QUESTION NO:40
ANSWERED ON:20.02.2006
AMENDMENT IN LABOUR LAWS
Chaure Shri Bapu Hari;Dhotre Shri Sanjay Shamrao

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether the Government proposes to amend the Labour Laws in the country;

(b) if so, the details thereof;

(c) whether most of the Labour organizations of the country protest this proposal; and

(d) if so, the reaction of the Government in this regard?

Answer

MINISTER OF LABOUR AND EMPLOYMENT (SHRI K. CHANDRASEKHAR RAO)

(a) to (d): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO.40 FOR 20.02.2006 BY SHRI BAPU HARI CHAURE AND SHRI SANJAY DHOTRE REGARDING AMENDMENT IN LABOUR LAWS

(a) to (d): Amendment in labour laws is a continuous process in order to bring them in tune with the emerging needs. Presently, Bills to amend the Factories Act, 1948 and the Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by certain Establishments) Act, 1988 have been introduced in the Parliament.

With a view to making labour markets flexible, a "Discussion Paper" has been circulated among various stakeholders for eliciting their views. These, inter-alia, include:

(i) amendment in the Contract Labour (Regulation and Abolition) Act, 1970 by placing certain activities in a separate schedule so that provisions of Section 10 may not apply to them, and by replacing the term "emergency" with the term "public interest" in Section 31 of the Act ; and

(ii) amendment in the Industrial Disputes Act, 1947 by raising the number filter from 100 to 300 for applicability of chapter VB and raising the compensation ceiling payable to workers on retrenchment, and on closure of the establishment, from 15 days' average pay to 45 days' average pay for every completed year of continuous service or any part thereof in excess of six months subject to the condition that such retrenchment compensation shall not be less than 90 days of average wages and by extending the powers of exemptions in the Industrial Disputes Act, 1947 under Section 36 B to include any Government Undertaking.

Central Trade Unions and Employers Organizations have expressed divergent views on the suggestions, which have been taken cognizance of by the Government.